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January 31, 2008

VIA ECF & FEDERAL EXPRESS

Hon. Sidney H. Stein, U.S.D.J.
United States District Court,
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl St., Room 1010
New York, New York 10007

Re: Holinka v. Baxter Healthcare Corporation, et al.
Civil Action No. 07-8019

Dear Judge Stein:

Our firm represents defendant Baxter Healthcare Corporation ("Baxter"). Pursuant to Your Honor's October 24, 2007 Order staying this matter, we provide this report on the status of Baxter's application to transfer this case to the Asbestos MDL.

Plaintiff filed a motion to vacate the Condition Transfer Order on October 30, 2007. Defendants timely opposed that motion, on November 19, 2007. The MDL Panel was scheduled to consider the matter, without appearances, at its January 30, 2008 hearing; we do not yet have its decision.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "T. J. Fraser".

Timothy J. Fraser

cc: Stephen J. Riegel, Esq. (via ECF & first class mail)
James S. Nowak, Esq. (via ECF & first class mail)
Carol M. Tempesta, Esq. (via ECF & first class mail)